

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRIS RYDER,

Plaintiff,

-against-

TRUE VALUE HARDWARE, INC., TRUE VALUE
HARDWARE COMPANY, NATIONAL, LUX
PRODUCTS, INC., VILLAGE HARDWARE, INC.,
C.P.C. LOGISTICS, INC., EME NEVADA, INC.,
PENSKE TRUCK LEASING, INC., MICROCHIP
TECHNOLOGY, INC. AND TRUE VALUE
DISTRIBUTION, INC.,

Defendants.

----- X

**VERIFIED ANSWER
TO CROSS-CLAIM**

Docket No.: 12-cv-06875-CS

The defendant, **EME NEVADA, INC.**, by its attorneys, **MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**, answering the Cross-Claim of the defendant, LUX PRODUCTS, INC., against defendants, C.P.C. LOGISTICS, INC., ORBIT/EME MANUFACTURING, INC., PENSKE TRUCK LEASING, INC. and MICROCHIP TECHNOLOGY, INC., respectfully alleges upon information and belief:

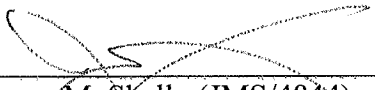
1. Denies each and every allegation contained in the paragraph of the Cross-Claim designated as follows:

“1”

WHEREFORE, defendant, **EME NEVADA, INC.**, demands judgment dismissing the cross-claim herein, together with the costs and disbursements of this action.

Dated: Elmsford, New York
October 31, 2012

By:


James M. Skelly (JMS/4844)

**MARKS, O'NEILL, O'BRIEN
& COURTNEY, P.C.**

Attorneys for Defendant

EME NEVADA, INC.

530 Saw Mill River Road

Elmsford, New York 10523

(914) 345-3701

File No.: 447.94520

TO:

Chris Ryder - *Plaintiff Pro Se*
Box 4702
Glenville, Connecticut 06831
(787) 587-7211

David A. Glazer, Esq.
SHAFER GLAZER, LLP
Attorneys for Defendant
LUX PRODUCTS, INC
90 John Street - Suite 701
New York, New York 10038-3202
(212) 267-0011
File No.: 229-00132

Tonia Maria Ouellette Klausner, Esq.
WILSON SONSINI GOODRICH & ROSATI
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MICROCHIP TECHNOLOGY, INC
1301 Avenue of The Americas - 40th Floor
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(212)-999-5800

Beth Dana Simon, Esq.
ANDERSON KILL & OLICK, P.C.
Attorneys for Defendant
TRUE VALUE COMPANY
1251 Avenue of the Americas
New York, New York 10020
(212) 278-1000

TRUE VALUE HARDWARE, INC.
488 Mamaroneck Avenue
White Plains, New York
Defendant Not Yet Answered

TRUE VALUE HARDWARE COMPANY, NATIONAL
8600 W. Bryn Mawr Avenue
Chicago, IL
Defendant Not Yet Answered

VILLAGE HARDWARE, INC
32 Newtown Lane
E. Hampton, New York
Defendant Not Yet Answered

C.P.C. LOGISTICS, INC
100 Tower Drive
Burr Ridge, IL
Defendant Not Yet Answered

PENSKE TRUCK LEASING, INC
Rt 10 Green Hills
Reading, PA
Defendant Not Yet Answered

TRUE VALUE DISTRIBUTION, INC
7058 Snowdrift Road
Allentown, PA 18106
Defendant Not Yet Answered

ORBIT/EME MANUFACTURING, INC
Terminated via Stipulation on 10/11/12

ATTORNEY VERIFICATION

The undersigned, under the penalties of perjury, affirms:

That he is **JAMES M. SKELLY**, a member of the firm of **MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**, that he has read the foregoing papers and the same are true to his knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters, he believes them to be true; that the grounds and sources of such belief are matters contained in this firm's file, as well as conferences had between this affirmant and representatives of the defendant; and that the reason this affirmation is not made by the party is that said party is not in the county where affirmant has his office.

Dated: Elmsford, New York
October 31, 2012



JAMES M. SKELLY (JMS/4844)

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

MARTHA AGIS, being duly sworn, deposes and says: deponent is not a party to this action, is over 18 years of age and resides in Pearl River, New York.

On the 1st day of November, 2012 deponent served the within **VERIFIED ANSWER TO CROSS-CLAIM** upon the parties herein stated below, by depositing and mailing same in a sealed envelope, with postage prepaid thereon, in an official depository of the U.S. Postal Service within the State of New York, at the following addresses:

TO:

Chris Ryder - *Plaintiff Pro Se*
Box 4702
Glenville, Connecticut 06831
(787) 587-7211

David A. Glazer, Esq.
SHAFFER GLAZER, LLP
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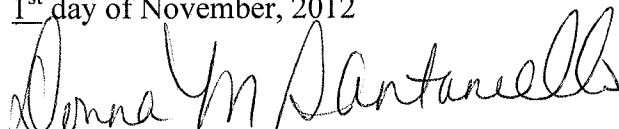
ORBIT/EME MANUFACTURING, INC

Terminated via Stipulation on 10/11/12



MARTHA AGIS

Sworn to before me on the
1st day of November, 2012


NOTARY PUBLIC

DONNA M. SANTANIELLO
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN PUTNAM COUNTY
MY COMMISSION EXP. JULY 27, 2013
01SA4896539